

JEAN A.R. ADAMS,

Plaintiff,

vs.

MS. DIANE CURETON and
CHEMICAL DEPENDENCY
CENTER OF CHARLOTTE,

Defendants.

THIS MATTER is before the Court on Defendants’ Motion to Dismiss (Doc. No. 27), filed August 28, 2006; and the Magistrate Judge’s Memorandum and Recommendation (“M&R”) (Doc. No. 28), filed August 29, 2006. The Magistrate Judge recommended that Defendants’ Motion to Dismiss be granted. The time for filing objections has since passed, and neither Plaintiff nor any of her representatives filed objections in this matter. For the reasons stated below, the Court GRANTS Defendants’ Motion to Dismiss.

Pursuant to 28 U.S.C. § 636(b)(1)(B), United States Magistrate Judge Carl Horn III was designated to consider and recommend disposition of Defendants Motion to Dismiss. The Federal Magistrate Act provides that “a district court shall make a de novo determination of those portions of the report or specific proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). “By contrast, in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the

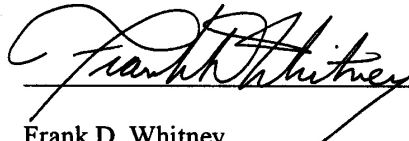
recommendation.”” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

II. CONCLUSION

Accordingly, after a careful review of the record in this case, the Court finds that the Magistrate Judge’s findings of fact are supported by the record and the conclusions of law are consistent with and supported by current case law. See Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982) (holding that only a careful review is required in considering a memorandum and recommendation absent specific objections). Thus, the Court hereby accepts the M&R of Magistrate Judge Horn and adopts it as the final decision of this Court for all purposes relating to this case.

IT IS, THEREFORE, ORDERED that Defendants’ Motion to Dismiss is **GRANTED**. This matter is **DISMISSED WITHOUT PREJUDICE**. The Clerk is directed to close the case.

Signed: October 13, 2006


Frank D. Whitney
United States District Judge

